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9	BEFORE THE BOARD OF REGISTERED NURSING
10	DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA
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12	In the Matter of the Accusation Against: Case No. 2010 - 10
13	KAREN VALOIS OLIVEIRA AKA A C C U S A T I O N
14	KAREN VALOIS GYORE 5329 Cherry Ridge Drive
15	Camarillo, ČA 93012
16	Registered Nurse License No. 493455
17	Respondent.
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19	<u>PARTIES</u>
20	1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her
21	official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department
22	of Consumer Affairs.
23	Registered Nurse License
24	2. On or about August 31, 1993, the Board of Registered Nursing issued Registered
25	Nurse License Number 493455 to Karen Valois Oliveira AKA Karen Valois Gyore (Respondent).
26	The Registered Nurse License expired on October 31, 2006, and has not been renewed.
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JURISDICTION

- 3. This Accusation is brought under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.
- 4. Section 2750 of the Business and Professions Code ("Code") provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.
- 5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license.
- 6. Section 118, subdivision (b), of the Code provides that the suspension/expiration/surrender/cancellation of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.
 - 7. Section 2761 of the Code states:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

- (a) Unprofessional conduct, which includes, but is not limited to, the following:
- (4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action."

COST RECOVERY

8. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

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FIRST CAUSE FOR DISCIPLINE

(Out-of-State Discipline)

- 9. Respondent is subject to disciplinary action under Code section 2761, subdivision (a)(4), on the grounds of unprofessional conduct, in that Respondent has been disciplined by the Board of Nurse Examiners for the State of Texas (Texas Board), as follows:
- 10. On February 2, 2007, the Texas Board entered into an Agreed Order with Respondent, **Exhibit "A"**, after the Texas Board produced evidence that Respondent may have violated Section 301.452(b)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(b), (6)(G), & (8), by doing the following:
- a. On July 31, 2006, while employed with Presbyterian Hospital of Allen, in Allen, Texas, Respondent admitted that she had misappropriated Oxycontin and Vicodin for her own personal use from the facility and the patients thereof. Respondent's conduct defrauded the facility and the patients of the cost of the medications.
- b. On August 22, 2006, while employed with Presbyterian Hospital of Allen, in Allen, Texas, Respondent may have lacked the fitness to safely practice nursing in that she admitted experiencing problems with her memory and also expressed bizarre ideation. Respondent's conduct may have prevented her from delivering safe nursing care.
- 11. It was therefore ordered and agreed between the Texas Board and Respondent that Respondent, in lieu of the sanction of revocation under Section 301.453 of the Texas Occupations Code, would successfully complete the Texas Peer Assistance Program for Nurses (TPAPN), and that noncompliance would result in further disciplinary action, including revocation of Respondent's license and multistate licensure privileges, if any, to practice nursing in the State of Texas.
- 12. On May 13, 2008, the Texas Board entered a Default Order, **Exhibit "B"**, against Respondent, because Respondent failed to appear in accordance with 22 TEX. ADMIN. CODE, Ch. 213, after she was given proper and timely notice regarding the violations which were alleged to warrant disciplinary action. Therefore, the Texas Board revoked Respondent's Permanent

1	Certificate No. 721396, pursuant to which she was licensed to practice professional nursing in the
2	State of Texas.
3	<u>PRAYER</u>
4	WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
5	and that following the hearing, the Board of Registered Nursing issue a decision:
6	1. Revoking or suspending Registered Nurse License Number 493455, issued to Karen
7	Valois Oliveira AKA Karen Valois Gyore;
8	2. Ordering Karen Valois Oliveira AKA Karen Valois Gyore to pay the Board of
9	Registered Nursing the reasonable costs of the investigation and enforcement of this case,
10	pursuant to Business and Professions Code section 125.3; and,
11	3. Taking such other and further action as deemed necessary and proper.
12	DATED: 8/28/09 Sories R. Bailey
13	Louise R. Bailey, M.Ed., RN Interim Executive Officer
14	Board of Registered Nursing State of California
15	Complainant
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